UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,273	01/18/2001	Michael Bittner	IVGN 616	1332
	7590 01/19/200° CORPORATION	EXAMINER		
C/O INTELLE	VATE	CROW, ROBERT THOMAS		
P.O. BOX 52050 MINNEAPOLIS, MN 55402			ART UNIT	PAPER NUMBER
	,		1634	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
30 DAYS		01/19/2007	PAF	PER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.	Applicant(s)	
09/766,273	BITTNER ET AL.	
Examiner	Art Unit	
Robert T. Crow	1634	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address — "The mamentment document filed on 06 November 2006 is considered non-compliant because it has failed to meet the equirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following tem(s) is required.	ntinuation Sheet (PTOL-324)		Application No.
equirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following term(s) is required. THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: 1. Amendments to the specification. 2. Amended paragraph(s) of not include markings. 3. New paragraph(s) should not be underlined. 4. Amended paragraph(s) should not be underlined. 5. Other 2. Abstract. 8. Other 8. Other 8. Other 9. Other	The MAILING DATE of		1
1. Amendments to the specification: A. Amendde paragraph(s) should not be underlined. C. Other 2. Abstract A. Not presented on a separate sheet. 37 CFR 1.72. 3. Amendments to the drawings: A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. C. Other A. Amendments to the claims: A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all pending claims (including withdrawn claims) is status C. Each claim has not been provided with the proper status identifier, and as such, the individual status C. Each claim has not been provided with the proper status identifier, and as such, the individual number by using one of the following status identifiers: (Original), (Currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently in the continuation of the amendment is unsigned or not signed in accordance with 37 CFR 1.4). For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714. TIME PERIODS FOR FILING A REPLY TO THIS NOTICE: 1. Applicant visites to resubmit the non-compliant amendment with corrections, the entire corrected amendment must be resubmitted. 2. Applicant is given no new time period if the non-compliant amendment is an after-final amendment with corrections, the entire corrected amendment must be resubmitted. 2. Applicant is given no new time period under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment filed within a suspension period under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amend	equirements of 37 CFR 1.121 or tem(s) is required.	r 1.4. In order for the amendment document to be	compliant, correction of the following
2. Abstract:	1. Amendments to the sA. Amended paraB. New paragrapt	pecification: graph(s) do not include markings.	NT TO BE NON-COMPLIANT:
3. Amendments to the drawings: A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. C. Other	2. Abstract: A. Not presented	on a separate sheet. 37 CFR 1.72.	
A. A complete listing of claims does not include the text of all pending claims (including withdrawn claims; C. Each claim has not been provided with the proper status identifier, and as such, the individual of each claim cannot be identified. Note: the status of every claim must be indicated after number by using one of the following status identifiers: (Original), (Currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See Continuation Sheet. 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714. TIME PERIODS FOR FILING A REPLY TO THIS NOTICE: 1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted. 2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4, are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment or an amendment filed in response to a Quayle action. Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment	☐ 3. Amendments to the of ☐ A. The drawings a "Annotated Sh ☐ B. The practice of showing amen"	are not properly identified in the top margin as "Re eet" as required by 37 CFR 1.121(d). I submitting proposed drawing correction has bee	n eliminated. Replacement drawings
of each claim cannot be identified. Note: the status of every claim must be indicated and number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See Continuation Sheet. 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714. TIME PERIODS FOR FILING A REPLY TO THIS NOTICE: 1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted. 2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filled within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filled in response to a Quayle action. If any of above boxes 1, to 4, are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. *Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action, or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.	A. A cor B. The I	nplete listing of all of the claims is not present. isting of claims does not include the text of all per	nding claims (including withdrawn claims) us identifier, and as such, the individual
(Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See Continuation Sheet. 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714. TIME PERIODS FOR FILING A REPLY TO THIS NOTICE: 1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmitted. 2. Applicant is given nonemonth, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. *Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a preliminary amendment or supplemental amendment. Abandonment of the application; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.	status	of each claim cannot be identified. Note: the sta	itus of every claim must be indicated after
Applicant is given none month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected amendment amendment is one of the following: a preliminary amendment, including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filled within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filled in response to a Quayle action. Extensions of time amendment filed in response to a Quayle action; or Non-entry of the amendment of the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment of the non-compliant amendment is a non-final amendment or supplemental amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment or supplemental amendment or the application if the non-compliant amendment or supplemental amendment or supplemental amendment or the application if the non-compliant amendment or supplemental amendment or the amendment or the application if the non-compliant amendment or supplemental amendment.	its claim	number by using one of the following status ident	tifiers: (Original), (Currently amended),
D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: See Continuation Sheet 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714. TIME PERIODS FOR FILING A REPLY TO THIS NOTICE: 1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted. 2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. **Failure to timely respond** to this notice will result in: Abandonment of the amendment if the non-compliant amendment is a non-final amendment or supplemental amendment. **Complete Action** or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. **Complete Action** or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.	(Canceled),	(Previously presented), (New), (Not entered), (W	ithdrawn) and (Withdrawn-currently
 Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or supplemental amendment. 	☐ D. The	r: See Continuation Sheet.	
 Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendmer filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. 	For further explanation of the ar	nendment format required by 37 CFR 1.121, see	MPEP § 714.
filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted. 2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4, are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.	TIME PERIODS FOR FILING A	REPLY TO THIS NOTICE:	
correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-linear amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.	filed after allowance. If app entire corrected amendment	licant wishes to resubmit the non-compliant after- ent must be resubmitted.	final amendment with corrections, the
*Failure to timely respond to this notice will result in: Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. Case of Court State	correction, if the non-complication (including a submission for amendment filed within a supplied of about 15 and 16 and	iant amendment is one of the following: a prelimin a request for continued examination (RCE) under uspension period under 37 CFR 1.103(a) or (c), al we boxes 1. to 4. are checked, the correction requ	37 CFR 1.114), a supplemental an amendment and an amendment filed in response to a
Abandonment of the application if the non-compliant amendment is a non-final amendment of an amendment filled in response to a <i>Quayle</i> action; or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. Compared to the application if the non-compliant amendment is a preliminary amendment or supplemental amendment.	Extensions of time are amendment or an amend	available under 37 CFR 1.136(a) <u>only</u> if the non-c dment filed in response to a Q <i>uayle</i> action.	compliant amendment is a non-final
Logal lestryments Evenings (LIE) if applicable EV6 (2) Telephone No.	*Failure to timely response to a Non-entry of the amendment.	nd to this notice will result in: application if the non-compliant amendment is a Quayle action; or endment if the non-compliant amendment is a pre	

Legal Instruments E U.S. Patent and Trademark Office PTOL-324 (01-06)

Part of Paper No. 20070105

Continuation Sheet (PTOL-324)

Continuation of 4(e) Other: Claim 24 is presented in the amended document as an original claim; however, the claim now recites "Gap" in line 2, whereas the original claim recited "GaP." Upon closer inspection of claim 24, it appears as though the first core recited in line 4 of claim 24 is "AIP," with a capital letter "i." The original claim recited "AIP," with a lower case "L." In addition, it is suggested that the amendments to claim be modified so that the period after the word "substrate" at the end of line 17 is placed in double brackets rather than struck through to more clearly indicate its deletion.